

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
: 12-CR-00040 (ADS)
:
v. : 100 Federal Plaza
: Central Islip, New York
GILBERT SOLNIN, :
: June 16, 2011
Defendant. :
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TRANSCRIPT OF CRIMINAL CAUSE FOR WAIVER
OF SPEEDY INDICTMENT
BEFORE THE HONORABLE ARLENE R. LINDSAY
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government: CHRISTOPHER OTT, ESQ.
United States Attorneys Office
610 Federal Plaza
Central Islip, New York 11722

For the Defendant: JOSEPH R. CONWAY, ESQ.
LaRusso & Conway
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Saratoga Springs, New York 12866

Proceedings recorded by electronic sound recording, transcript
produced by transcription service

1 (Proceedings began at 11:47 a.m.)

2 THE CLERK: Calling 11-MJ-151, United States of
3 America v. Gilbert Solnin.

4 Please state your appearances.

5 MR. OTT: Good morning, Your Honor. Christopher Ott
6 standing in for Allen Bode, Your Honor.

7 MR. CONWAY: Good morning, Your Honor. Joseph
8 Conway for Mr. Solnin.

9 THE COURT: Mr. Conway, I'm under the impression that
10 your client wishes to again waive speedy indictment. Is that
11 correct?

12 MR. CONWAY: That is correct, Your Honor.

13 THE COURT: This is the third time?

14 MR. CONWAY: That is correct.

15 THE COURT: What's going on?

16 MR. CONWAY: We've been having some meetings with the
17 Government. We actually met again this morning. I think we
18 are making progress. I think one more 30 day adjournment will
19 hopefully lead to resolution.

20 THE COURT: All right. Mr. Solnin, you've agreed to
21 waive speedy indictment again for another 30 days it appears
22 but I want to make sure that you understand this and that this
23 is a voluntary waiver.

24 You have rights under the Speedy Trial Act and one
25 of your rights under the Speedy Trial Act is to a speedy

1 indictment, that is to -- if the Government is going to
2 prosecute you then the statute requires that they present
3 their case expeditiously and the longest amount of time they
4 can take to present their case to a grand jury or to obtain an
5 indictment is usually 30 days. But when you waive speedy
6 indictment you effectively give the Government more time than
7 the law would actually allow.

8 Now, I understand that the reason you've agreed to
9 do this now for the third time is because your attorney is
10 having discussions with the Government. Is that correct?

11 THE DEFENDANT: That's correct.

12 THE COURT: All right. You understand what your
13 rights are?

14 THE DEFENDANT: Yes, I do.

15 THE COURT: Notwithstanding what your rights are
16 you're willing to waive speedy indictment?

17 THE DEFENDANT: Yes.

18 THE COURT: So let me ask you this. Has anyone
19 threatened you in any way to get you to sign this last waiver?

20 THE DEFENDANT: No.

21 THE COURT: Has anyone promised you anything?
22 Because I know there's discussions but have you been made any
23 promises that would get you to sign this?

24 THE DEFENDANT: No promises.

25 THE COURT: Mr. Conway, you're satisfied this is in

1 your client's best interest?

2 MR. CONWAY: Yes, I am, Your Honor.

3 THE COURT: Okay. Then I'll so order it as knowingly
4 and voluntarily entered into and continues to be in the public
5 interest to do.

6 MR. CONWAY: Thank you, Your Honor.

7 THE COURT: Anything else?

8 MR. OTT: No, Your Honor. Thank you.

9 MR. CONWAY: No, Your Honor.

10 THE COURT: By the way, did you hand up the speedy
11 waiver, the speedy indictment waiver?

12 MR. OTT: It's right there, Your Honor.

13 THE COURT: Okay. Folks, thank you very much.
14 (Proceedings concluded by 11:50 a.m.)

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1 I certify that the foregoing is a court transcript from
2 an electronic sound recording of the proceedings in the above-
3 entitled matter.

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5 _____
6 Shari Riemer

7 Dated: April 8, 2014
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